THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.23098 OF 2005

DATED:27.10.2005

Between:

G. Venkataiah

…Petitioner

And

The Mandal Revenue Officer

Kalway Mandal, Nellore District

and another

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.23098 OF 2005

ORDER:

The petitioner claims to have purchased the land in S.No.467 admeasuring Acs.4.60 in Vedenaparthy Village, Kalway Mandal, Nellore District, under registered sale deed dt.19.4.1974. He also alleges that he is in possession of the property and paying cist regularly. He alleges that on 25.9.2005 the second respondent visited the property along with some private persons and orally directed the petitioner to vacate the land to an extent of Acs.0.39 alleging that it is an assigned land hit by the provisions of the A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (for short, the Act). He further alleges that the respondent No.1 is regularly coming to the petitioner and forcing him to sign on blank documents. Apprehending forcible eviction, the petitioner invoked the jurisdiction of this Court.

The grievance of the petitioner is that without issuing any notice and without taking any action under the provisions of the Act, the respondents are trying to evict the petitioner from a portion of the land at the behest of two private persons. A reading of the affidavit, which is bereft of any details, would show that except the apprehension of the petitioner, nothing is highlighted in the case. In the opinion of this Court, the petitioner is trying to seek redressal in relation to alleged action by two private persons, namely Mr.Moghal Mastan and Mr.Nanya Saheb. The petitioner, if so advised, may file a suit for injunction before Civil Court. On mere apprehension, writ petition cannot be entertained.

The Writ Petition with the above observations is accordingly disposed of.

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(V.V.S.RAO, J)

27.10.2005

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